



State of Alabama  
**Electrical Contractors Board**

610 S. McDonough Street  
Montgomery, Alabama 36104  
(334) 269-9990  
Fax (334) 263-6115

**MINUTES**  
**Board Meeting**  
**Monday, October 3, 2011**

The Alabama Board of Electrical Contractors met on Monday, October 3, 2011, at the Board Office in Montgomery, Alabama in order to conduct business. Those members in attendance were as follows: Mr. Albert Hensley, Chair, Mr. Carmon Colvin, Vice Chair, Mr. Donald R. (Donny) Cook, Mr. Charles (Chuck) Turner, Mr. Ronald Weaver, Mr. Terry Wallace, Mr. Robert Lamborne, Mr. Carl Goss, and Mr. Mack Butler. Also in attendance were Mr. Keith E. Warren (Executive Director), Mrs. Hendon Coody (General Counsel), Mr. Randy Barrows (Executive Assistant), and Mike James (Investigator), and Ms. Renee' Reames (Executive Secretary to Mr. Warren). A quorum was present to conduct business.

The meeting was called to order at 10:04 a.m. The called meeting was advertised on the Board's web site, [www.aecb.alabama.gov](http://www.aecb.alabama.gov), and the Secretary of State's website, [www.sos.state.al.us](http://www.sos.state.al.us), in accordance with requirements of the Alabama Open Meetings Act.

The minutes from the August 1, 2011 regular meeting and September 1, 2011 called/special meeting were presented for approval. Mr. Cook made a motion to approve the minutes as presented. The motion was seconded by Mr. Turner and unanimously approved by the Board.

Mr. Warren presented the Financial and Executive Director Report as of September 30, 2011. Mr. Warren reminded the Board members of the increase in the 2012 budget and the general fund year-end requirements. Mr. Warren updated the Board on the number of active and inactive licenses and also distributed detailed list of expenditures and revenue. After review and discussion, Mr. Colvin made a motion to approve the Financial and Executive Director Reports as presented (copy available for viewing in the Board's official Book of Minutes). The motion was seconded by Mr. Wallace and unanimously approved by the Board.

Mr. Warren reported that the Emergency Rules had been published and he was working with Mr. Barry DeLosier in developing a media campaign about the changes in licensing requirements.

Mr. Warren reported that based on the Emergency Rule adopted in September by the Board, the current Journeyman application could be used by individuals applying by waiver and should mark "Other" to represent waiver application.

Mr. Warren reported that the Board has been scheduled to appear before the Sunset Committee on October 20, 2011 at 10:00 a.m. Mr. Warren reviewed the three significant issues cited in the recent audit and he encouraged the Board members to attend this meeting.

Mr. Warren reported that annual election of officers was due. Mr. Goss made the motion to elect Mr. Hensley as Chair and Mr. Colvin as Vice Chair. The motion was seconded by Mr. Butler. There were no other motions and the motion was unanimously approved.

Ms. Coody, legal counsel, reported that she was preparing the proposed rule for continuing education and would submit the document to Mr. Warren after the upcoming Sunset Committee meeting.

Ms. Coody also reported that the Board had three administrative hearings to consider. She indicated that Mr. Reid had pleaded guilty and a consent agreement was recommended for the Board's consideration. She indicated that in the two other hearings, these individuals had a more culpable role in the use of another's license.

Mr. Cook made a motion to adjourn into a recess at 10:53 a.m. The motion was seconded by Mr. Turner and was unanimously approved by the Board.

Mr. Wallace made a motion to reconvene the Board meeting at 11:02 a.m. The motion was seconded by Mr. Weaver and unanimously approved by the Board.

Mr. Hensley turned the meeting over at 11:03 a.m. to Ms. Dana Billingsley, Administrative Law Judge, to conduct the Hearing between the Board vs. Mr. Anthony Reid. Ms. Billingsley reviewed the Notice of Administrative Hearing (NAH) regarding the violations in the matter of Mr. Reid, ECB complaint #2010.005. It was noted that all Board members were present and none were recused nor had a conflict in making a decision in the matter of this Hearing. Mr. Cook made a motion to accept the Consent Order, in which Mr. Reid notifies in writing the City of Montgomery Electrical Inspection Department that he is the only person that may obtain permits under his license and provides a copy of his letter and confirmation from the City. Furthermore, Mr. Reid be assessed an administrative fine in the amount of \$500, payable within six months from the date of the Order, and that Mr. Reid appear and provide truthful testimony at the Administrative Hearing in the matter of Michael Price, and non-compliance on the part of Mr. Reid with any of these terms of the Consent Order, during a probationary period of two years, would be grounds for revocation of his Alabama electrical contractors license. The motion was seconded by Mr. Turner and unanimously approved by the Board.

At 11:32 a.m., the Administrative Hearing in the matter of the Board vs. Mr. Sammy Rose was conducted. Ms. Coody, legal counsel for the Board, reported that legal counsel for Mr. Rose wishes to plea and asked consideration to not revoke Mr. Rose's electrical contractor license, but asked consideration of other disciplinary actions. Ms. Billingsley presided as Administrative Law Judge at the Hearing in the matter of Mr. Sammy Rose, ECB complaint #2011.002. It was noted that all Board members were present and none were recused nor had a conflict in making a decision in the matter of this Hearing. The hearing concluded at 12:09 p.m.

The Board deliberated in the matter of Sammy Rose. Mr. Turner made a motion that Mr. Rose be placed on a 3-year probation, assessed an administrative fine in the amount of \$1000. The motion was seconded by Mr. Turner and unanimously approved by the Board. Mr. Turner made a motion to amend his motion to state that Mr. Rose would be placed on probation of 3 years from the date of the Consent Order, to pay an administrative fine of \$1000 and that Mr. Rose was to appear and provide truthful testimony at the Administrative Hearing in the matter of Larry Pollard. The motion was seconded by Mr. Butler and unanimously approved by the Board.

At 12:24 p.m., the Administrative Hearing in the matter of the Board vs. Mr. Larry Pollard was conducted. Ms. Billingsley presided as Administrative Law Judge at the Hearing in the matter of Mr. Larry Pollard and reviewed the Notice of Administrative Hearing (NAH) regarding the violations in the matter ECB complaint #2011.002.1. It was noted that all Board members were present and none were recused nor had a conflict in making a decision in the matter of this Hearing. The hearing concluded at 1:10 p.m.

The Board recessed at 1:11 p.m. for lunch and reconvened at 1:46 p.m.

Mr. Warren explained that the Administrative Law Judge would provide a Recommended Order concerning Mr. Larry Pollard for their consideration.

Mr. Colvin left the meeting at 1:47 p.m. due to a conflict in schedule.

Mr. Weaver made a motion to approve the Electrical Contractor Reciprocal applications as presented (a list available for viewing in the Board's official Book of Minutes). The motion was seconded by Mr. Lamborne and unanimously approved by the Board.

After review, Mr. Cook made a motion to approve the Electrical Contractor and Journeyman Electrician applications for examination as presented (a list available for viewing in the Board's official Book of Minutes). The motion was seconded by Mr. Turner and unanimously approved by the Board.

Following a review of applications, Mr. Turner made a motion to approve the Waiver Electrical Contractor applications as presented (a list available for viewing in the Board's

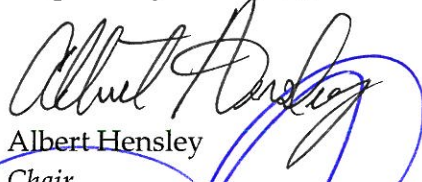
official Book of Minutes). The motion was seconded by Mr. Butler and unanimously approved by the Board.

Mr. Weaver departed the meeting at 2:55 p.m. due to a conflict in schedule.


Mr. Warren reported that the Code Officials Association of Alabama (COAA) had written the Board to inquire about the changes in licensing requirements. Mr. Goss made a motion to seek an Attorney General opinion concerning Section 34-36-13 to clarify requirement of possessing a state electrical licensing to be eligible to obtain a local electrical license. The motion was seconded by Mr. Cook and unanimously approved by the Board. Mr. Coody will draft the letter to the Attorney General's office for the Board's consideration.

There being no further business, Mr. Lamborne made a motion to adjourn the meeting at 3:27 p.m. The motion was seconded by Mr. Cook and unanimously approved by the Board.

Respectfully submitted,



Albert Hensley  
Chair



Keith E. Warren  
Executive Director